

HHS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

JUL 01 2008

7-1-2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN SCHWAB,

Defendant,

and

CAPITAL BANK,

Third Party Citation Respondent.

No. 07 CR 815-1

Judge Rebecca R. Pallmeyer

ANSWER OF THIRD PARTY CITATION RESPONDENTI, John Grabhorn, the Compliance Coordinator of Respondent, Indiana, state
(name) (title)

under penalty of perjury as follows:

The Respondent is a Corporation organized under the laws of the State of California.

June 5, 2008 (partnership, corporation)

On _____, Respondent was served with the Third Party Citation to Discover Assets. With respect to the judgment debtor, John Schwab, on the day Respondent was served with the Citation, Respondent had in its possession or control the following property of the judgment debtor:

1. Financial Accounts

Account 1

Roth IRA

Account type: _____

Account No.: 6870-4163#Amount: \$ \$5,375.75

Amount withheld: \$ _____

Account 2

Account type: _____

Account No.: _____

Amount: \$ _____

Amount withheld: \$ _____

Account 3

Account type: _____

Account No.: _____

Amount: \$ _____

Amount withheld: \$ _____

Account 4

Account type: _____

Account No.: _____

Amount: \$ _____

Amount withheld: \$ _____

2. Safety Deposit Box

Box No.: N/A _____

Amount: \$ _____

Owners other than the judgment debtor:

3. Detail other personal property in the respondent's possession or control:

N/A

4. Are there prior garnishments or other court-ordered withholdings which are presently in effect including, but not limited to child support and alimony?

Yes No

If the answer is yes, describe below.

5. Does the Respondent have custody, control or possession of any property, other than accounts, safety deposit boxes or other personal property, now owed or to be paid in the future, in which the judgment debtor has an interest?

Yes No

If yes, please describe below (continue on additional sheets if necessary):

6. Check and complete the applicable line below if you deny that you hold property subject to this Citation to Discover Assets.

The Respondent has the following objections, defenses, or set-offs to the United States' right to apply Respondent's indebtedness to defendant to the United States' claim:

On the date the Respondent was served with the Citation to Discover Assets, Respondent was not indebted or under liability to the defendant, and/or did not have in its possession or control any assets, income or other property belonging to Respondent, or in which the defendant has an interest.

7. The original Answer must be filed with the Clerk of the Court for the Northern District of Illinois, Eastern Division located at 219 South Dearborn Street, 20th Floor, Chicago, Illinois 60604. The Clerk does not charge a fee for filing the Answer. You may file the Answer in person or by mailing the Answer to the Clerk by first-class mail.

8. The Respondent filed the answer with the Clerk and mailed a copy of this Answer by first-class mail to:

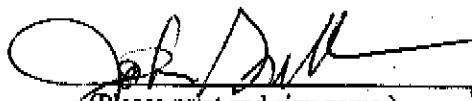
(A) the defendant, John Schwab, at 1243 Waterside Ln
Venice FL 34285-6461; and

(B) the attorney for the United States, Joseph A. Stewart, Assistant United States Attorney, 219 South Dearborn Street, 5th Floor, Chicago, Illinois 60604 - Attention: Financial Litigation Unit.

VERIFICATION

Pursuant to 28 U.S.C. § 1746, I verify under penalty of perjury that the foregoing is true and correct.

Executed this 23rd day of June, 2008.

John Grahame

(Please print and sign name.)

Phone No. (800) 421-0180 x 66927